

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kenneth L. Lapsley,

Civil No. 11-20 (RHK/JSM)

Petitioner,

ORDER

v.

United States of America,

Respondent.

The above-entitled matter is before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated June 6, 2012, together with Petitioner's Objections thereto. Based on the undersigned's de novo review of the Report and Recommendation, the Objections thereto, the submissions of the parties, and all of the files, records and proceedings herein, **IT IS ORDERED:**

1. The Objections (Doc. No. 23) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 19) is **ADOPTED**;
3. Petitioner's Motion to Vacate, Set Aside, or Correct Petitioner Sentence Pursuant to 28 U.S.C. §§ 2241, 2255 (e) under the saving clause (Doc. No. 1) is **DENIED**;
4. Petitioner's Motion for Discovery to Request Production of Documents (Doc. No. 14) is **DENIED**; and

5. Petitioner's Petition (Doc. No. 1) is **DISMISSED WITH PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 16, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge